

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

**MODIFIED CHAPTER 13 PLAN**

In Re: Daniel J. Kruczek                      SSN: xxx-xx-3873  
Debra J. Kruczek                              SSN: xxx-xx-3272

Dated: August 12, 2004  
Bkry Case No. 04-33976

DEBTOR

In a joint case, debtor means debtors in this plan.

**1. PAYMENTS BY DEBTOR -**

- a. As of the date of this plan, the debtor has paid the trustee \$None.
- b. After the date of this plan, the debtor will pay the trustee \$420.00 per month for 47 months, beginning August 2004 for a total of \$19,740.00.
- c. The debtor(s) shall also the Trustee None.
- d. The debtor will pay the trustee a total of \$19,740.00 [line 1(a) + line 1(b) + line 1(c)].

- 2. PAYMENTS BY TRUSTEE -** The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$1,794.00 [line 1(d) x .10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

- 3. PRIORITY CLAIMS -** The trustee shall pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. Attorney Fees	\$ 1,249.00	\$ 191.00	1	7	\$ 1,249.00
b.	\$	\$			\$
c.	\$	\$			\$
d.	\$	\$			\$
e.	\$	\$			\$
f. <b>TOTAL</b>					<b>\$ 1,249.00</b>

- 4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT -** The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. None
- b.

- 5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] -** The trustee will cure defaults (plus interest at the rate of 8 percent per annum) on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default. Remaining balances due under the modified plan.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a.	\$	\$			\$
b.	\$	\$			\$
c.	\$	\$			\$
d. <b>TOTAL:</b>					<b>\$ None</b>

- 6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322 (b)(5)] -** The trustee will cure defaults (plus interest at the rate of 8 percent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default. Remaining balances due under the modified plan.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a.	\$	\$			\$
b.	\$	\$			\$
c.	\$	\$			\$
d. <b>TOTAL</b>					<b>\$ None</b>

7. **OTHER SECURED CLAIMS** [§ 1325(a)(5)] - The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 percent. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 506(a). Remaining balances due under the modified plan.

	<i>Creditor</i>	<i>Claim Amount</i>	<i>Secured Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a.	Americredit	\$ 8,609.00	\$ 4,325.00	\$ 68.00/137.00	1/8	7/33	\$ 4,934.00
b.	DaimlerChrysler	\$ 13,256.00	\$ 7,714.00	\$ 122.00/244.00	1/8	7/33	\$ 8,801.00
c.		\$	\$	\$			\$
d.		\$	\$	\$			\$
e.		\$	\$	\$			\$
f.	<b>TOTAL</b>						<b>\$ 13,735.00</b>

8. **SEPARATE CLASS OF UNSECURED CREDITORS** - In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows: None
- a. The debtor estimates that the total claims in this class are \$ None
- b. The trustee will pay this class \$ None
9. **TIMELY FILED UNSECURED CREDITORS** - The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7, and 8 their pro rata share of approximately \$2,962.00 [line 1(d) minus lines 2, 3(f), 5(d), 6(d), 7(f), and 8(b)].
- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$9,826.00.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$43,981.00.
- c. Total estimated unsecured claims are \$53,807.00 [line 9(a) | line 9(b)].
10. **TARDILY-FILED UNSECURED CREDITORS** - All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 5, 6, 7, 8, or 9 shall be paid to holders of nonpriority unsecured claims for which proofs of claim forms were tardily filed.
11. **OTHER PROVISIONS** - The trustee may distribute funds not allocated above at his discretion. The tax authorities including the federal government, state revenue and property taxes shall be paid per claim whether filed as priority or secured. The plan shall allow debtors current child support obligation to be paid through payroll deduction, and the back child support obligation shall be paid in full inside the plan. All child support debt classified as non-priority shall be paid in full by the Trustee, as a separate class. Upon the completion of payment of the secured portion of any claim, the property securing said claim shall vest in the debtor(s) free and clear of any lien, claim or interest of the secured creditor, and the secured creditor shall execute whatever documents necessary to release the lien on title to security.

12. **SUMMARY OF PAYMENTS -**

Trustee's Fee [Line 2)]	\$ 1,794.00
Priority Claims [Line 3(f)]	\$ 1,249.00
Home Mortgage Defaults [Line 5(d)]	\$ None
Long-Term Debt Defaults [Line 6(d)]	\$ None
Other Secured Claims [Line 7(f)]	\$ 13,735.00
Separate Class [Line 8(b)]	\$ None
Unsecured Creditors [Line 9]	\$ 2,962.00
<b>TOTAL [must equal Line 1(d)]</b>	<b>\$ 19,740.00</b>

Insert Name, Address, Telephone and License Number of Debtor's Attorney:

Robert J. Hoglund #210997  
P.O. Box 130938  
Roseville, Minnesota 55113

(651) 628-9929

Signed /s/ Daniel I. Kruczek  
DEBTOR

Signed /s/ Debra J. Kruczek

DEBTOR (if joint case)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re:	Bkry Case No: 04-33976
Daniel J. Kruczek,	Chapter 13 Case
and	
Debra J. Kruczek,	NOTICE OF MODIFICATION AND HEARING
Debtor(s).	ON CONFIRMATION OF CHAPTER 13 PLAN

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TO: ALL PARTIES IN INTEREST

PLEASE TAKE NOTICE that the debtor(s) modified the Chapter 13 Plan and the Hearing on Confirmation of Plan scheduled to be heard on August 26, 2004 at 10:30 a.m. in United States Bankruptcy Court, Courtroom 228C, 316 North Robert Street, Saint Paul, Minnesota, shall be continued to September 23, 2004 at 10:30 a.m. in United States Bankruptcy Court, Courtroom 228C, 316 North Robert Street, Saint Paul, Minnesota.

Dated: August 24, 2004

HOGLUND, CHWIALKOWSKI, GREEMAN & BERGMANIS, P.L.L.C.

Signed: /e/ Robert J. Hoglund  
Robert J. Hoglund #210997  
Keith Chwialkowski #210134  
Marie F. Martin #287040  
Jeffrey J. Bursell #293362  
Attorney for Debtor(s)  
1611 West County Road B #106  
P.O. Box 130938  
Roseville, Minnesota 55113  
Telephone Number: (651) 628-9929

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:  
Daniel J. Kruczek,  
and

Debra J. Kruczek,  
Debtor(s).

Bkry Case No: 04-33976  
Chapter 13 Case

**UNSWORN CERTIFICATE  
OF SERVICE**

I, Robin Nori, employed by Hoglund, Chwialkowski, Greeman & Bergmanis, P.L.L.C., attorneys licensed to practice law in this Court, with office address of 1611 West County Road B, Suite 106, Roseville, Minnesota 55113, declare that on August 24, 2004, I served the Notice of Modification and Hearing on Confirmation of Chapter 13 Plan, and modified Chapter 13 Plan, to each of the entities named below by mailing to each of them a copy thereof by enclosing the same in an envelope with first class mail postage prepaid and depositing the same in the post office in Roseville, Minnesota, addressed to each of the entities as follows:

- - - - -  
Ms. Jasmine Z. Keller                      United States Trustee  
Trustee in Bankruptcy                      1015 United States Courthouse  
12 South Sixth Street #310                      300 South Fourth Street  
Minneapolis, Minnesota 55402                      Minneapolis, Minnesota 55415

Daniel J. Kruczek and Debra J. Kruczek  
7594 Jasmine Avenue South  
Cottage Grove, Minnesota 55016

all creditors/parties in interest listed on matrix (see attached)  
- - - - -

And I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: August 24, 2004

Signed: /e/ Robin Nori  
Paralegal

ALLIANCE ONE  
4850 STREET ROAD LEVEL C  
FEASTERVILLE TREVOSE PA 19053

ALLIED INTERSTATE  
PO BOX 361774  
COLUMBUS OH 43236

ALLINA CONS BUS OFFICE  
700 - 10TH AVE S  
MINNEAPOLIS MN 55415

AMAN COLECTION SERVICE  
PO BOX 231  
ABERDEEN SD 57402-0231

AMBA  
C/O DAVID NORTH  
1644 HASTINGS AVE  
NEWPORT MN 55055

AMERICOLLECT  
PO BOX 1566  
MANITOWOC WI 54221-1566

AMERICREDIT  
PO BOX 78143  
PHOENIX AZ 85062

BENNETT & DELONEY  
PO BOX 190  
MIDVALE UT 84047-0190

CABERA & ASSOCIATES  
560 RT 303 STE 209  
ORANGEBURG NY 10962

CAPITAL ONE  
PO BOX 60000  
SEATTLE WA 98190-6000

CBE GROUP  
PO BOX 2635  
WATERLOO IA 50704-2635

CCV  
PO BOX 1268  
BOTHELL WA 98041-1268

CHECKCARE  
PO BOX 171096  
NASHVILLE TN 37217

CHECKRITE  
PO BOX 661068  
CHICAGO IL 60616-9061

CHRYSLER FINANCIAL  
PO BOX 55000 DEPT 277001  
DETROIT MI 48255-2770

COLLECTECH SYSTEMS  
31229 CEDAR VALLEY DR  
WESTLAKE VILLAGE CA 91362

CREDIT COLLECTION  
2 WELLS AVE  
NEWTON MA 02459

DAVID NEWCOMB & ASSOC  
PO BOX 18036  
WEST SAINT PAUL MN 55118

DISH NETWORK  
DEPT 0063  
PALATINE IL 60055-0063

FIRST CONSUMERS NATIONAL BANK  
9310 SW GEMINI DRIVE  
PORTLAND OR 97208

FIRST NATIONAL COLLECTION BUREAU  
3631 WARREN WAY  
RENO NV 89509

GC SERVICES  
6330 GULFTON  
HOUSTON TX 77081

IC SYSTEMS  
444 HWY 96 E  
PO BOX 64437  
SAINT PAUL MN 55164-0437

JAMES P. MORAN  
9761 ZINNIA LANE N  
MAPLE GROVE MN 55369

JO FARHO'S  
BERGEN PLAZA  
7141 - 10TH STREET N  
OAKDALE MN 55128

LAKEVIEW HOSPITAL  
927 WEST CHURCHILL STREET  
STILLWATER MN 55082

MARK PITZELE P.A.  
ATTORNEY AT LAW  
5100 GAMBLE DR STE 125  
ST LOUIS PARK MN 55416

MILLENIUM CREDIT CONSULTANTS  
PO BOX 18160  
W SAINT PAUL MN 55118-0160

MN DEPT OF REVENUE  
551 BKCY SECTION CEU DEPT  
PO BOX 64447  
ST PAUL MN 55164

NATIONAL ACCOUNT SERVICE  
1629 HENNEPIN AVE STE 400  
MINNEAPOLIS MN 55403

NATIONAL ACTION FINANCIAL  
PO BOX 922023  
NORCROSS GA 30010-2023

NORTH SHORE AGENCY  
PO BOX 8909  
WESTBURY NY 11590-8909

NORTHLAND CREDIT CONTROL  
3617 VERA CRUZ AVE N  
CRYSTAL MN 55422

O'CONNOR PLUMBING & HEATING  
1904 VERMILLION STREET  
HASTINGS MN 55033

PINNACLE FINANCIAL GROUP INC  
7825 WASHINGTON AVE S #410  
MINNEAPOLIS MN 55439

PLAZA TV  
946 SOUTH ROBERT STREET  
WEST SAINT PAUL MN 55118

PROTOCOL FINANCIAL  
1937 WOODLANE DR #204  
WOODBURY MN 55125-3926

QUAD CORPORATION  
3536 JERSEY RIDGE ROAD  
DAVENPORT IA 52807

RCO  
PO BOX 32500  
TUCSON AZ 85751-2500

RELIANCE RECOVERIES  
PO BOX 29227  
MINNEAPOLIS MN 55429-0227

RESTAURANT EFUNDS  
1031 E BATTLEFIELD STE 213A  
SPRINGFIELD MO 65807

RICHARD D. SEIERSTAD  
PO BOX 570  
SAUK RAPIDS MN 56379-0570

RISK MGMT ALTERNATIVES  
4360 NE EXPRESSWAY - 52 H  
ATLANTA GA 30340

RMA  
1829 REISTERSTOWN RD STE 300  
BALTIMORE MD 21208

ROSSO & SEIERSTAD  
PO BOX 130668  
SAINT PAUL MN 55113

SCHMITT MUSIC  
100 N 6TH ST STE 850 B  
MINNEAPOLIS MN 55403

SHAFFER & ASSOCIATES  
501 CHERRY STREET PLAZA STE 102  
COLUMBIA MO 65201

SIMONS APPLIANCE  
7090 CAHILL AVENUE E  
INVER GROVE HEIGHTS MN 55076

SPRINT  
PO BOX 530503  
ATLANTA GA 30353-0503

SPRINT PCS  
PO BOX 219554  
KANSAS CITY MO 64121-9554

TCF BANK  
801 MARQUETTE AVE  
MINNEAPOLIS MN 55402

TELECHECK  
PO BOX 17120  
DENVER CO 80217

WOODWINDS HEALTH CAMPUS  
1925 WOODWINDS DR  
WOODBURY MN 55125

X-CEL ENERGY  
PO BOX 9477  
MINNEAPOLIS MN 55484-9477

AMERICREDIT  
ATTN AMERICREDIT DEPT  
ACCT: 415784966  
PO BOX 183853  
ARLINGTON TX 76096

RIEZMAN BERGER ATTYS  
7700 BONHOMME 7TH FL  
ST LOUIS MO 63105

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Bankruptcy Case Number: 04-33976

Daniel J. Kruczek,

and

**SIGNATURE DECLARATION**

Debra J. Kruczek,

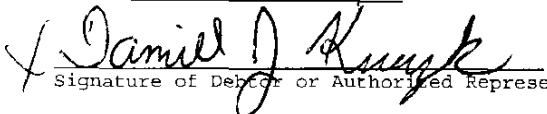
Debtor(s).

- ( ) PETITION, SCHEDULES & STATEMENTS  
( ) CHAPTER 13 PLAN  
( ) SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
( ) AMENDMENT TO PETITION/SCHEDULES/STATEMENTS/DOCUMENTS  
( X ) MODIFIED CHAPTER 13 PLAN/MOTION FOR HEARING  
( ) OTHER: (Please describe) \_\_\_\_\_  
( ) VERIFICATION: I (We), debtor(s) named in the attached amended petition schedules, declare under penalty of perjury that the foregoing is true and correct.

I [We], the undersigned debtor(s) or authorized representative of the debtor(s),  
**make the following declarations under penalty of perjury:**

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 8-19-04

  
Signature of Debtor or Authorized Representative

Daniel J. Kruczek  
Printed Name of Debtor or Authorized Representative

  
Signature of Joint Debtor

Debra J. Kruczek  
Printed Name of Joint Debtor

HOGIUND, CHWIALKOWSKI, GREEMAN & BERGMANIS, P.L.L.C.

Signed: /s/ Robert J. Hoglund  
Robert J. Hoglund #210997  
1611 West County Road B, Suite 106  
P.O. Box 130938  
Roseville, Minnesota 55113  
Telephone Number: (651) 628-9929